

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION**

KENNETH E. SAVAGE, JR.,

Plaintiff,

V.

**FEDERAL EXPRESS
CORPORATION
d/b/a FEDEX EXPRESS and FEDEX
CORPORATION EMPLOYEES’
PENSION PLAN,**

Defendants.

2:14-cv-02057-STA-dkv

SECOND DECLARATION OF KENNETH E. SAVAGE, JR.

I, Kenneth E. Savage, Jr., hereby declare and state under penalty of perjury as follows:

1. I am a resident of Baton Rouge, Louisiana. I am over 21 years of age, and I am competent to make this Declaration. I make this Declaration from my personal knowledge.

2. My attorney filed a Declaration in support of my Response in Opposition to Defendant's Motion for Summary Judgment ("Response") (Doc. 97, 99). In addition to the information contained in my First Declaration, I now submit this Second Declaration in support of my Response.

3. During discovery in this lawsuit my attorney obtained information and data that I used to calculate my retirement benefits while I performed military service. I made the calculations and put the data on a spreadsheet. My attorney provided the spreadsheet to FedEx's attorneys. (*See* attached Exhibit A)

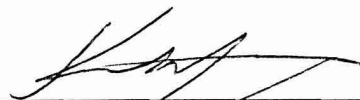
4. At my deposition, I was questioned at length by FedEx's attorney about how I calculated my damages, including my retirement benefits and I explained it.

5. Some time after my deposition, my attorney was at FedEx's headquarters taking depositions and called me. My attorney explained to me that he was sitting with Mr. Terrence Reed, FedEx's lawyer, and that Mr. Reed had questions about the spreadsheet I prepared regarding my damages, including my retirement benefit calculations. I answered the questions Mr. Reed asked honestly and as thorough as I could on the telephone.

6. After my attorney concluded the depositions of individuals with information relevant to my retirement benefits, including Jason Jackson, who works at Mercer, the actuarial firm who performed the calculations for my retirement benefits, I recalculated my imputed military earnings and retirement benefits and again found that FedEx had failed to properly credit my retirement account during the time I was performing military service.

7. I understand the formula, the relevant data, and applied the data to the formula in calculating my benefits. I am college educated and competent to perform these calculations.

I declare under penalty of perjury under the laws of the State of Tennessee, the State of Louisiana, and pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.



Kenneth E. Savage, Jr.

30 SEP 15
Date